

here your rendezvous with the American people.

OFFICERS OF MASSACHUSETTS CITIZENS FOR PUBLIC PRAYER

Chairman: Mr. Carl R. Griffin, Jr., teacher, Wachusett Regional High School, Holden, Mass.

Cochairman: Mrs. Charlotte M. Judkins, housewife, Rutland, Mass.

Massachusetts representatives:
Rev. Dr. Malcolm M. Matheson, D.D., pastor, Chestnut Street Congregational Church, Worcester, Mass. (president, Worcester Area Council of Churches).

Rev. Stephen Tucker, pastor, Bethany Congregational Church, Worcester, Mass. (past president, Worcester Ministerial Association).

Secretary: Mrs. Chester Oliver, Jr., instructor in Christian doctrine, St. Patrick's Roman Catholic Church, Rutland, Mass.

APPENDIX

1. Resolution adopted by the National Conference of State Governors, 54th annual meeting, Hershey, Pa., July 3, 1962. This resolution was adopted by overwhelming majority as was a similar resolution adopted at the 55th annual meeting in 1963:

"Whereas the recent majority opinion of the U.S. Supreme Court in the New York school prayer case has created far-reaching misunderstanding as to the Nation's faith and dependence on God; and

"Whereas the Governors assembled at the 54th annual Governors' conference acknowledge their dependence upon God and the power of prayer to Him; and

"Whereas the power of prayer has sustained man throughout our history and provided the moral foundation for our great Nation; Now, therefore, be it

Resolved, That the Governors' conference urge the Congress of the United States to propose an amendment to the Constitution of the United States that will make clear and beyond challenge the acknowledgment by our Nation and people of their faith in God and permit the free and voluntary participation in prayer in our public schools."

2. The National Catholic Youth Organization:

"New York.—The National Catholic Youth Organization called on all local CYO groups in the country for active efforts to amend the U.S. Constitution to permit the traditional right of prayer in the public schools.

"Preservation of the right of public prayer in the public schools" seemed to become an informal slogan sweeping the 4-day convention attended by * * * young people from all parts of the Nation, as well as many priests, religious, and lay leaders.

"The youths said in their resolution that they were seeking a prayer amendment in view of recent decisions of the Supreme Court and followup actions by many State departments of education, as well as local authorities not only removing any form of prayer, but all aspects of religious respect or observance." (The Catholic Free Press, weekly of the Roman Catholic diocese of Worcester, Mass., Nov. 22, 1963, p. 3.)

3. An editorial entitled "24th Amendment" (the Catholic Free Press, *ibid.*, July 19, 1963): "It would seem that the only way to stem the tide which threatens to banish any reference to God from American public life is the passage of an amendment to the Constitution clarifying the first amendment. We are not anxious to see the Constitution become a patchwork, amended each time a grievance cannot be resolved to everyone's satisfaction by the Supreme Court of the land. In this instance, however, the implication of the High Court's pronouncements on the relationship between church and state are so patently contrary to the intent of the Founding Fathers that a clarification by the people seems in order. We applaud the gesture of the several Senators and Congressmen who have filed resolutions in the

Congress requesting that a prayer amendment be made to the Constitution. Proponents of a prayer amendment are all agreed on one basic principle—that the Founding Fathers never intended to identify the separation of church and state with the separation of God from state."

4. A statement on behalf of His Eminence Francis Cardinal Spellman by Lawrence X. Cusack, attorney, Roman Catholic archdiocese of New York (see record of hearings before Senate Judiciary Committee, July 26 and August 2, 1962, at p. 140 ff.): "The Court has misread history and misconceived and applied a great constitutional principle. * * * [This decision] was unrealistic, extreme, and doctrinaire. * * * In legal effect the decision amounted to no more than a declaration that a particular prayer composed by a particular State body could not be officially sponsored for use in the public schools of a particular State. But, in practical effect * * * the decision has a significance that goes far beyond the legal issue involved. * * * I submit the one sure, effective, and early solution is an amendment to our Constitution which would remedy the result of the regents prayer case by correcting the Court's misreading of the no-establishment clause."

5. A statement of President Henry P. van Dusen, of the Union Theological Seminary, New York City (New York Times, July 7, 1963): "Clearly the significance of this new [i.e. the second prayer] decision does not lie in the proscription of somewhat perfunctory exercises of prayer and Bible reading. * * * It lies at a far deeper and more basic level and at two points, one retrospective, the other prospective: on the one hand, in its radical recasting of the intent and meaning of the Constitution; on the other hand, in its possible anticipation of far more drastic and fundamental reversal of the historic and established practices of National, State, and local governments in this country with respect to religion. * * * The corollary in both law and logic of the Supreme Court's recent interdictions is inescapable; prohibition of the affirmative recognition and collaboration by government at all levels with all organs of religion in all relationships and circumstances. A consistent application of such a policy would involve a revolution in the Nation's habitual practice in the matter of religion. * * * Nothing less than this is at stake. Is that the authentic will of the American people?"

6. A statement of His Excellency James A. Pike, bishop, Episcopal diocese of California, to hearings before the Senate Judiciary Committee, July 26, and August 1962 at page 51 ff. of the report of hearings: "The American approach to relationship of religion to the Nation has steered clear of church-state union on the one hand and secularization of public life on the other. We have, unlike countries which have chosen these other ways, steered a middle course reflected in virtually all aspects of our public life, including our schools. * * * The logic of the Court's decision would make it unlikely that any vestige of the middle way would survive. The proponents and the Court itself sincerely believe it would be a neutrality toward religion. But godless institutions are no more neutral than godly ones. There is no neutrality possible here because if you leave out this dimension in our schools and public institutions, then you have an image of a world view which one could describe as men and things without God, time and history without eternity. * * * The result is secularism, whether by intent or by default. I am not implying for a moment that the proponents or supporters of the decision of the Supreme Court intentionally wish an atheistic result. Nevertheless, when it is by default we simply cut off the whole spiritual dimension of life, and without even a reference to it. What we have left is actually a secularist view of life. Secularism is a faith any American is

entitled to hold. But there is no reason why, in our public institutions, it should be imposed upon all of us, any more than the school prayer should have been imposed upon the pupils whose parents wished them to withstand. * * * We have somehow in our tradition chosen this middle way, a kind of muddling through, in these things. I think we can rely pretty much on the way things work out. * * * In other words, in this middle way approach (and this describes the way of a number of our American ways of doing things outside of the church-state field), it is not possible to tie up absolutely everything. * * * I am not so much urging that everybody get with it now and adopt this prayer as I am to leaving the freedom to the local authorities and States to work these things out in a sensible way."

7. A statement by Dean Erwin M. Griswold, of Harvard Law School, University of Utah Law School, February 28, 1963: "It is perfectly true that the first amendment forbade Congress to pass any law 'respecting an establishment of religion or prohibiting the free exercise thereof.' These are great provisions. But to say that they require that all traces of religion be kept out of any sort of public activity is sheer invention. Does our deep-seated tolerance of all religions—or, to the same extent, of no religion—require that we give up all religious observance in public activities? Why should it? It certainly never occurred to the founders that it would. It is hardly likely that it was entirely accidental that these questions did not even come before the Court in the first 150 years of our constitutional history * * * concerning right of minority children to withdraw from the prayer exercise. It is said that this is bad, because it sets [them] apart from other children. But is this the way it should be looked at? The child of a nonconforming or a minority group is, to be sure, different in his beliefs. That is what it means to be a member of a minority. Is it not desirable and educational for him to learn and observe this, in the atmosphere of the school. And is it not desirable that * * * he experiences and learns the fact that his difference is tolerated and accepted? No compulsion is put upon him. He need not participate. But he, too, has the opportunity to be tolerant. He allows the majority of the group to follow their own tradition, perhaps coming to understand and to respect what they feel is significant to them."

8. An editorial appearing in the Boston Pilot, official organ of the Roman Catholic archdiocese of Boston and published in the Boston Globe, June 18, 1963:

"ALL PUBLIC LIFE AFFECTED"

"The Supreme Court, in the Lord's Prayer and Bible ruling, has continued along a path unhappily familiar to all from its earlier decisions. The same tedious arguments emphasizing the establishment of religion clause are brought forth to support a position which turns its back on the total American tradition and outlaws the present practices of 39 States.

"Let us suppose that the Lord's Prayer and the Bible are excluded from the American public schools for precisely the reasons given by the Supreme Court. What is the next step? Clearly, all other expressions of religion in public life must now be deleted. Let us not wait for them to come up case by case, but in one single gesture let them be suppressed.

"It may take the Court a long time to come to the full understanding of what its decision means, but by that time the American public may make some decisions of its own. In democratic life the tyranny of the few is always a temporary victory; it may be uncomfortable, but its fortunes will ultimately be reversed."

9. A statement by Dr. Charles Wesley Lowry in his book "To Pray or Not To Pray,"

the University Press of Washington, D.C., 1811 G Street NW., 1963: "This . . . is a very radical decision. It marks a turning point in our history. It adds up to a major revolution. The question is, Is religious neutrality not as between churches and sects, but as between religion and irreligion, God and no-God, the American position? . . . It is here that I feel we have fallen into a morass of deep contradiction. But this is for Americans as a whole to say. They can either say Amen to what has now happened or—since the power is in the people—they can insist that the Supreme Court look more steadily at our tradition; or, if necessary, that the Constitution state precisely what the American position is."

10. "Commentaries on the Constitution," Justice Joseph Story (CONGRESSIONAL RECORD, Mar. 11, 1964, p. 4837): "Probably at this time of the adoption of the Constitution, and of the amendment now under consideration, the general, if not the universal sentiment in America was that Christianity ought to receive encouragement from the state so far as was not incompatible with the private rights of conscience and the freedom of religious worship. An attempt to level all religions, and to make it a matter of state policy to hold all in utter indifference, would have created universal disapprobation, if not universal indignation."

11. "Principles of Constitutional Law," Thomas Cooley (ibid.): "The establishment of religion is meant the setting up or recognition of a state church or at least the conferring upon one church of special favors and advantages which are denied to others. It was never intended by the Constitution that government should be prohibited from recognizing religion—where it might be done without drawing any invidious distinctions between different religious beliefs, organizations, or sects."

12. "The Right to Pray," an editorial by David Lawrence, U.S. News & World Report, March 2, 1964: "Plainly a constitutional amendment has become absolutely necessary to clear up the confusion that has arisen as a result of decisions of the Supreme Court of the United States banning prayer in the public schools. . . . The value of prayer once a week in a church, where the attendance covers all ages and large numbers is not as great as the everyday impact of prayer on the minds of children of the same age in a small classroom. . . . The importance of prayer in the schoolroom is primarily that it is strengthened by group psychology and that it is an everyday rather than a once-a-week stimulus to better living. . . . Certainly an individual may pray in silence, but the benefit of articulation by the group is then lost. . . . The problem has been too long neglected. Early action is as vital as the war on poverty or the war on crime."

13. A statement by His Eminence Richard Cardinal Cushing, Roman Catholic archbishop of Boston, Mass., as reported in the Boston Herald, June 18, 1963:

"Cardinal Cushing called it [i.e. the second prayer decision] a great tragedy. . . . There is nothing we can do about it but to have an amendment to the Constitution relative to the reading of this masterpiece of literature in our public school. It could be that many of the judges of the Supreme Court think likewise, but, in accordance with their interpretation of this particular phase of the Constitution relative to the separation of church and state, they have followed their own consciences."

"Nevertheless there are many outstanding lawyers of this country who do not agree with them and there are millions of citizens who are of the same mind."

"The United States, it seems to me, is no longer what we loved to call, this Nation under God."

"We should have an amendment to clarify the church-state relationship."

14. On the 19th of April last, Patriots' Day in the Commonwealth of Massachusetts, more than 1,000 citizens of central Massachusetts signed petitions backing a peoples' amendment for public prayer. These petitions, gathered largely through the efforts of Mr. and Mrs. Chandler Creedon, of Shrewsbury, Mass., are herewith presented for enumeration in the record of these hearings.

15. A statement by Rev. Dr. D. Elton Trueblood, professor of philosophy at Earlham College, Richmond, Ind. (in Presbyterian Life, issue of May 1964):

"This is a ruling which affects deeply the whole of American life and represents a radical change in the cultural pattern in many parts of the Nation [p. 14]. . . . What is disturbing is not the decisions made so much as the reason given for the decision. The ultimate reason is a doctrine of neutrality. Whatever the Court may have intended, this doctrine if taken seriously creates a new establishment, a secular establishment. Instead of taking a neutral stand as between various religions, the Court rules, in the Baltimore problem, in favor of an atheist claim [p. 15]. . . . What we face . . . is actually the tyranny of a minority. I am opposed as anyone could be to any religious establishment, but I doubt seriously if that is the clear and present danger on our contemporary scene [p. 15]. . . . Let us see what absolute or unqualified neutrality must involve:

"1. It must forbid governmental recognition of Christmas.

"2. It must forbid Thanksgiving.

"3. It must forbid opening legislature with prayer.

"4. It must forbid the governmental appointment of military chaplains.

"It is hard to know where to begin and where to stop" (p. 37).

"In short they [i.e. the prayer decisions] propose a form of segregation, something really novel as far as American civilization is concerned. But no vital faith has ever been willing to settle for such segregation. The purpose of any faith which understands itself is to penetrate all of life" (p. 37).

McNamara Optimism Not Enough in Vietnam

EXTENSION OF REMARKS OF

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1964

Mr. ARENDS. Mr. Speaker, under leave to extend my remarks I am inserting in the Record an excellent editorial which appeared in the Daily Pantagraph, a leading newspaper in my district.

Indeed, "McNamara's Optimism Not Enough in Vietnam." This expresses the views of the people I represent. It expresses my views. And I believe it expresses the views of the vast majority of the American people.

We want the facts. We want to know the precise situation in Vietnam, and what we intend to do about it. We want a definitive policy.

The editorial follows:

McNAMARA OPTIMISM NOT ENOUGH IN VIETNAM

Perhaps President Johnson can't spare anyone else to go to South Vietnam to size up the situation. But his announcement that Secretary of Defense Robert McNamara

will make his sixth inspection trip to that troubled area doesn't stir up much enthusiasm here, and we doubt if it does in Saigon. McNamara has been quite consistently wrong in his optimistic appraisals of the situation. Just 2 years ago this month he made his first visit and left saying he felt tremendously encouraged. Conditions continued to worsen.

In July of that year he went to Hawaii for a conference on South Vietnam, his second to that island in a series that ran to five, all to appraise the Saigon situation. He left that one admitting that victory in South Vietnam might "take years rather than months." The internal strife over Buddhist monks developed soon after this visit.

In September 1963, McNamara and Gen. Maxwell Taylor were back in Vietnam. Their report this time was: "We are winning out there" and "things are progressing very well on both the military and political fronts." Two months later President Ngo Dinh Diem and his brother, Ngo Dinh Nhu, were assassinated in an internal upheaval.

In December 1963, Mr. McNamara was back in Saigon. He came away optimistic. Back he went in March of this year after a second governmental overthrow. This time he concluded "The path to victory may be hard."

Mr. McNamara is not alone in his announced optimism. As Vice President in 1961, Lyndon Johnson toured the area and was carried away with enthusiasm for progress there. He made 16 impromptu speeches and even compared Diem with the leadership prowess of Winston Churchill.

There is, of course, a recognition in Washington that the psychological factor looms large in Vietnam. These optimistic reports are intended to buck up the Vietnamese who are woefully weak on the will to fight on.

This country has poured \$5 billion in aid into South Vietnam in 8 years. We have 18,000 troops there and 220 Americans have been killed.

There has been no lack of supplies. Newsmen on the spot say there is nothing wrong with battle plans. The plans just don't get put into operation.

Some of the top Pulitzer awards in journalism went to reporters who have been covering the Vietnam operation. They have not been seeing the situation as has Mr. McNamara. Perhaps Mr. Johnson should send them along with him on this trip to keep his inspection in perspective.

Continued optimistic reports on a war that obviously is going very badly don't seem to stiffen the backbone of the Vietnamese, and they will weaken American desire to continue the struggle.

It's time for the harsh truth.

The Supreme Court and Our Heritage of Prayer

EXTENSION OF REMARKS OF

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 13, 1964

Mr. HALL. Mr. Speaker, some people have said that the Supreme Court decision on prayer in the public schools confirmed rather than changed the intent of the first amendment. I do not believe this to be the case, for certainly it changed practices which have been in effect since the very founding of our Republic. To further confirm these traditions which the Supreme Court ruling upset, under unanimous consent,